

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

v.

DAVID PIRK *et al.*,

15-CR-142-EAW-MJR

Defendants.

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**PROTECTIVE ORDER**

The government desires to provide defendants with additional information as required by Federal Rule of Criminal Procedure 16 or otherwise (“the government’s discovery”), and the parties have agreed to a protective order limiting the dissemination of this information on the grounds that it contains confidential personal identifying information of non-parties.

**NOW**, upon agreement of the parties, it is hereby

**ORDERED**, that the government’s discovery shall be used by counsel for defendants and defendants solely in connection with pretrial, trial or other proceedings in this action, including any appeals, shall not be disclosed to the public, and shall not be disclosed to non-parties by counsel or the defendants except as necessary in connection with pretrial proceedings, trial preparation or other proceedings in this action, or as needed to investigate

the allegations against defendants or communicate with potential witnesses; and it is further

**ORDERED**, that copies of the government's discovery shall not be provided to non-parties except those persons or entities employed or engaged for the purpose of assisting in the defense of this action or as otherwise allowed by this Order; and it is further

**ORDERED**, that the unauthorized copying, dissemination, and/or posting of copies, or the contents, of the above material on the internet or through any form of social media shall constitute a violation of the terms of this order; and it is further

**ORDERED**, that nothing in this order shall preclude counsel for defendants or the defendants from disclosing the material during the course of the litigation of this action in pretrial proceedings, in memoranda filed with the Court, at trial, or in post-trial proceedings; and it is further

**ORDERED**, that counsel for defendants or defendants may apply to the Court for an order specifically permitting public disclosure of the above mentioned material; and it is further

**ORDERED**, that at the conclusion of the litigation of this action, including any direct appeal, counsel for each defendants and the defendants shall destroy all copies of the government's discovery immediately upon request of the government and shall

communicate such destruction to the government.

DATED: Buffalo, New York, August 3, 2016.

*/s/ Michael J. Roemer*  
MICHAEL J. ROEMER  
United States Magistrate Judge